



MT. DIABLO UNIFIED SCHOOL DISTRICT
James W. Dent Education Center
1936 Carlotta Drive
Concord, CA 94519-1397

BOARD OF EDUCATION
Gary L. Eberhart, President
Paul P. Strange, Vice President
Linda K. Mayo
Sherry Whitmarsh
Richard W. Allen

BOARD OF EDUCATION

AGENDA

Tuesday, August 25, 2009
Closed Session 6:00 p.m.
Regular Session 7:30 p.m.

INTERIM SUPERINTENDENT
Richard C. Nicoll, Ph.D.

ASSOCIATE SUPERINTENDENT
Alan Young, Ed.D., Educational Services

ASSISTANT SUPERINTENDENTS
Mildred Browne, Ed.D., Special Education
Rose Lock, Elementary Education
Gail Isserman, Personnel Services
Peder Pedersen, Administrative Services

GENERAL COUNSEL
Gregory J. Rolan, Esq., General Counsel

WELCOME

- * **Addressing the Board** -- To assure an orderly meeting and an equal opportunity for each speaker, persons wishing to address the Board must fill out a speaker card. Cards are available at the meeting and must be turned in to the president of the Board prior to the beginning of the meeting. In the interest of time, speakers are limited to three minutes each, or a total of thirty minutes for all speakers, **or the three minute limit may be shortened.** If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. **Speakers are not allowed to yield their time.**
- * **Meeting Ending Time** -- Adjournment time will be no later than 11:00 p.m. for all regular and special meetings unless extended to a specific time as determined by a majority of the Board.
- * **Record Keeping** -- For accuracy, all regular meetings of the Board of Education are recorded electronically. Recordings are kept on file for a period of no less than thirty days.
- * **Closed Session** -- The Board of Education may meet in closed session for discussion of labor negotiations, student discipline, personnel matters, litigation, and other matters as provided for under California state law.
- * **Radio** -- For the convenience of the public, Board meetings are broadcast during the school year over the Clayton Valley High School radio station KVHS (90.5 FM) starting at 7:30 p.m.
- * **Agenda Documents** -- Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District Superintendent's office located at 1936 Carlotta Drive, Concord, California during normal business hours.

FUTURE MEETING DATE(S):

September 8, 2009	7:30 p.m.	Regular Board Meeting
September 22, 2009	7:30 p.m.	Regular Board Meeting
October 13, 2009	7:30 p.m.	Regular Board Meeting

****Note: Calendar of Future Board and Committee Meetings Attached****

CALL TO ORDER – 6:00 p.m.

1. **ANNOUNCEMENT:** In closed session, the Board will consider the items listed on the closed session agenda that follows.

2. **PUBLIC COMMENT** – The public may address the Board concerning items that are scheduled for discussion during closed session only. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers or **the three minute limit may be shortened. Speakers are not allowed to yield their time.**

3. **ADJOURN TO CLOSED SESSION**
CLOSED SESSION

1. Negotiations - The Board may discuss negotiations or provide direction to its representatives regarding represented employees, pursuant to the EERA (Govt. Code Section 3549.1)
Agency negotiators: Gail Isserman and Julie Braun-Martin.
Agencies: MDEA, CSEA, Local One M & O, Local One CST, MDSPA, and Supervisory.
2. Readmission (3) - Review Administrative Hearing Panel recommendations regarding readmissions.
3. Anticipated Litigation
One potential case.
4. Public Employee Discipline/Dismissal/Release/Complaint
Up to ten (10) certificated employees.
One classified employee.

RECONVENE OPEN SESSION – 7:30 p.m.

1. **PRELIMINARY BUSINESS**

- Pledge of Allegiance
- Roll Call

2. **REPORT OF CLOSED SESSION – August 25, 2009**

- Topics
- Negotiations
 - Readmissions
 - Anticipated Litigation
 - Public Employee Discipline/Dismissal/Release/Complaint

3. **CONSENT AGENDA**

Items listed under Consent Agenda are considered routine and will be approved/adopted by a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon the request of any member of the Board and acted upon separately.

- 3.1 Minutes of the meeting of August 11, 2009.

- 3.2 Certificated Personnel

- 3.2.1 Leaves of Absence, Resignations, Retirements, Employment

- 3.2.2 Resolution 09/10-05 Education Code 44258.3 – Board Authorization

Under Ed. Code 44258.3, holders of any California teaching credential can be authorized, by Board Authorization, to teach departmentalized classes with their consent in grades K-12.

- 3.2.3 Resolution 09/10-06 Education Code 44256(b) – Board Authorization

Under Ed. Code 44256(b), holders of multiple subject or elementary credentials who have 12 lower division units or 6 upper division units in a subject can be authorized, by Board Authorization, to teach that subject(s) in a middle school for the current school year.

- 3.2.4 Resolution 09/10-07 Education Code 44258.2 – Board Authorization

Under Ed. Code 44258.2, holders of single subject or secondary credentials who have 12 lower division units or 6 upper division units in a subject can be authorized, by Board Authorization, to teach that subject(s) in a middle school for the current school year.

3.2.5 Resolution 09/10-08 Education Code 44263 – Board Authorization

Under Ed. Code 44263, holders of any California teaching credential who have 18 lower division units or 9 upper division units in a subject can be authorized, by Board Authorization, to teach that subject(s), full or part time.

3.2.6 Resolution 09/10-09 Variable Term Waiver Requests

Variable term waivers provide applicants with additional time to complete certain requirements for the credential that authorizes the service.

3.3 Classified Personnel

3.3.1 Leaves of Absence, Resignations, Retirements, Employment

3.4 Request for Replacement of Outdated Warrant

County warrant issued to Jane Michelle Pezzola for extra compensation was not presented to the County Treasurer for payment within the six months of date of issue and is consequently void. Per Government Code 29802 the Board must direct reissuance of the warrant.

3.5 Contract Amendment #5, Capital Engineering Consultants, Inc.

Contract amendment #5 to Capital Engineering Consultants, Inc. in the amount of \$7,490 for comprehensive design and engineering services necessary for the installation of new heating, ventilating, and air conditioning systems at designated sites. Funding Source: Proposition 55 funds

3.6 Contract Amendment to Mills Associates

Contract amendment to Mills Associates in the amount of \$2,250 for preparation of Environmental Impact Report (EIR) for the Northgate High School stadium lighting project. Funding Source: Northgate Community Pride Foundation

3.7 Purchase Order to Meehleis Modular Buildings, Inc.

Purchase order to Meehleis Modular Buildings, Inc. in the amount of \$338,775 for a new modular classroom and restroom at Riverview Middle School. Funding Source: Measure C

3.8 Notice of Completion to Contract C-886, Bid 1533

Notice of completion to contract C-886, bid 1533 to River View Construction in the amount of \$357,690, who provided football bleacher repairs at Clayton Valley High School. Funding Source: Proposition 55

3.9 Renewal of Contract with David Costa for Courier Service for Food and Nutrition Services

Renewal of contract with David Costa in the amount of \$38,500 to provide courier services for Food and Nutrition Services. Funding Source: Cafeteria Fund, already budgeted

3.10 Renewal of Contract with David Costa for Courier Service for School Sites

Renewal of contract with David Costa in the amount of \$35,000 to pick up petty cash from various school sites and deliver to Concord Diablo Federal Credit Union. Funding Source: General Fund, Program Code 5290

4. **RECOGNITIONS**

5. **PUBLIC COMMENT**

The public may address the Board regarding any item within the jurisdiction of the Board of Education of the Mt. Diablo Unified School District that is not on this agenda. These presentations are limited to three minutes each, or a total of thirty minutes for all speakers, **or the three minute limit may be shortened.** If there are multiple speakers on any one subject, the public comment period may be moved to the end of the meeting. **Speakers are not allowed to yield their time.**

6. COMMUNICATIONS

6.1 District Organizations

At regular board meetings, a single spokesperson of each recognized district organization may make a brief presentation following the Consent Agenda. Items are limited to those which are informational.

7. REPORTS/INFORMATION – None

8. SUPERINTENDENT'S REPORT

9. BUSINESS

Action 9.1 Approval of Bid for RFP 1553 Special Education and Section 504 Study

Approval of Bid for RFP 1553 to MGT of America, Inc. in the amount of \$99,520 to provide a thorough operation analysis of the delivery of all special education services throughout the district. Funding Source: ARRA-IDEA Funds

Recommendation

Approval of bid with MGT of America, Inc. as presented.

10. BOARD FORUM

This item is here for the Board of Education to discuss any issues of concern.

10.1 Committee Minutes

10.2 Board Reports (time limit – 3 minutes)

10.3 Issues of Concern

11. ADJOURNMENT

12. CLOSED SESSION - Items not completed during the first closed session will be carried over to this closed session.

AUGUST 2009			
Regular Board Meeting	August 11		7:30 p.m.
Regular Board Meeting	August 25		7:30 p.m.
SEPTEMBER 2009			
Public Input for Superintendent Search	September 1		5:30 p.m.
Special Board Meeting	September 1		4:00 p.m.
Public Input for Superintendent Search	September 2		5:30 p.m.
Parent Advisory Committee	September 2		7:30 p.m.
Regular Board Meeting	September 8		7:30 p.m.
Community Advisory Committee	September 14		7:00 p.m.
Budget Advisory Committee	September 17		5:00 p.m.
Regular Board Meeting	September 22		7:30 p.m.
OCTOBER 2009			
Community Advisory Committee	October 5		7:00 p.m.
Parent Advisory Committee	October 7		7:00 p.m.
Regular Board Meeting	October 13		7:30 p.m.
Budget Advisory Committee	October 15		5:00 p.m.

Note: This is being provided for information only.
Please call 682-8000 ext. 4000 to confirm meeting dates, times and locations.

ATTENDANCE: Board: Gary Eberhart, Paul Strange, Linda Mayo, Sherry Whitmarsh, Dick Allen
Administrative Staff: Interim Superintendent Dick Nicoll; Associate Superintendent Alan Young; Assistant Superintendents Gail Isserman, Rose Lock and Pete Pedersen; General Counsel Greg Rolan.

1. CALL TO ORDER

President Eberhart called the meeting to order at 6:00 p.m., in the Board room, at the MDUSD Dent Center.

PUBLIC COMMENT:

Christine Shannon, a part-time teacher, requested that the Board consider her immediate release so that she would be able to accept a position with another district.

CLOSED SESSION: The Board adjourned to Closed Session at 6.05 p.m., in Room 6 at the Dent Center. Topics discussed included negotiations; Expulsions/Readmissions; Existing Litigation; Anticipated Litigation; Public Employee Discipline/Dismissal/Release/Complaint; Superintendent’s Evaluation

Readmissions

Strange moved, Sherry seconded, and the Board voted 5-0-0 to approve staff’s recommendation to readmit two students who have completed their rehabilitation plan.

Existing Litigation

Strange moved, Mayo seconded, and the Board voted 5-0-0 to direct staff to accept a settlement as presented in the A.W. v. Mt. Diablo Unified School District case.

2. RECONVENE OPEN SESSION: The Board returned to Open Session at 7:30 p.m. Eberhart led the Pledge of Allegiance to the Flag and reported the action taken in Closed Session including the readmission of two students, denial of readmission of seven students, and direction to staff regarding existing litigation in the case of A.W. v. Mt. Diablo Unified School District.

Expulsions:

Student #01-10: Allen moved, Mayo seconded, and the Board voted 5-0-0 that Student #01-10 be expelled from all schools and programs of the Mt. Diablo Unified School District and that Student #01-10 may apply for readmission after January 29, 2010. It is required that Student #01-10 participate in individual counseling, community service, the COPS program, the MDUSD Teen Anger Management Program, and show evidence of a successful school experience, prior to applying for readmission.

Student #02-10: Mayo moved, Whitmarsh seconded, and the Board voted 5-0-0 that Student #02-10 be expelled from all schools and programs of the Mt. Diablo Unified School District and that Student #02-10 may apply for readmission after January 29, 2010. It is required that Student #02-10 participate individual counseling, community service, the COPS program, the MDUSD Teen Anger Management Program and show evidence of a successful school experience, prior to applying for readmission.

Student #03-10: Whitmarsh moved, Allen seconded, and the Board voted 5-0-0 that Student #03-10 be expelled from all schools and programs of the Mt. Diablo Unified School District and that Student #03-10 may apply for readmission after January 29, 2010. It is required that Student #03-10 participate in individual counseling, community service, the COPS program, the MDUSD Teen Anger Management Program, and show evidence of a successful school experience, prior to applying for readmission.

Student #04-10: Mayo moved, Whitmarsh seconded, and the Board voted 5-0-0 that Student #04-10 be expelled from all schools and programs of the Mt. Diablo Unified School District and that Student #04-10 may apply for readmission after January 29, 2010. It is required that Student #04-10 participate in individual counseling, community service, the COPS program, and show evidence of a successful school experience, prior to applying for readmission.

Student #05-10: Allen moved, Mayo seconded, and the Board voted 5-0-0 that Student #05-10 be expelled from all schools and programs of the Mt. Diablo Unified School District and that Student #05-10 may apply for readmission after January 29, 2010. It is required that Student #05-10 participate in individual counseling, community service, the COPS program, the MDUSD Teen Anger Management Program, and show evidence of a successful school experience, prior to applying for readmission.

3. CONSENT AGENDA

President Eberhart requested that Item 3.14 be pulled and brought back for further consideration at a subsequent meeting.

Mayo moved, Allen seconded, and the Board voted 5-0-0 to approve the consent agenda items as presented with the exception of item 3.14.

3.1 Minutes of the meeting of June 30, 2009.

3.2 Certificated Personnel

3.2.1 Leaves of Absence, Resignations, Retirements, Employment

3.2.2 Resolution 09/10-01 Provisional Internship Permit (PIP) Request

All requests for a PIP must be presented to the Governing Board of a public school district for approval. Every PIP request that is submitted to the Commission on Teacher Credentialing must also include verification that a notice of intent to employ the named applicant in the identified position has been made public.

3.2.3 Reduction of Full-Time Equivalent Positions (FTE) for the 2009-10 School Year

Reduction of (1.0) FTE to be eliminated from Categorical Funds. This action will result in a decrease in the expenditure budget of Categorical Funds in the amount of \$63,684. Funding Source: Foster Youth Program

3.2.4 Increase in Full-Time Equivalent Position (FTE) for the 2009-10 School Year

Increase 1.0 FTE to Categorical Funds for 2009-10. This action will result in an increase in the expenditure budget of Categorical Funds in the amount of \$63,684. Funding Source: Special Education Teacher Professional Development Grant

3.2.5 Increase in Full-Time Equivalent Position (FTE) for the 2009-10 School Year

Increase 5.50 FTE to Categorical Funds for 2009-10. This action will result in an increase in the expenditure budget of Categorical Funds in the amount of \$350,263. Funding Source: Economic Impact Aid/Limited English Proficient - \$324,789; Title I \$25,474

3.2.6 Staffing Modification to Eliminate One Behaviorist Health Specialist I Position and Create One Additional Behaviorist Health Specialist II Position at Sunrise

Due to program necessity, it is being requested that one Behaviorist Health Specialist I position be changed to a Behaviorist Health Specialist II position. This modification represents an increased cost of \$29,319. Funding Source: County Mental Health Medi-Cal Funding.

3.2.7 School Psychology Internship Agreement with California State University Fresno for the term of August 12, 2009 through August 11, 2014

This agreement would allow students from the University's approved School Psychology Program in the College of Science and Mathematics to supplement their learning experience by working with District staff.

3.2.8 Memorandum of Understanding with the University of San Francisco for the Term of July 28, 2009 through July 28, 2014

Cooperating teachers who have a student teacher receive a stipend for their services. In order for colleges or universities to pay this stipend, there must be a signed agreement or memorandum of understanding on file between the District and the institution providing the student teaching program.

3.2.9 Student Placement Agreement with Saint Mary's College for the Term of August 15, 2009 through August 15, 2010

This agreement is to provide practice teaching to students enrolled in the teacher education program at Saint Mary's College to help them acquire the skills and knowledge needed to become professional teachers.

3.3 Classified Personnel

3.3.1 Leaves of Absence, Resignations, Retirements, Employment

3.3.2 Eliminate Part-Time Instructional Assistant Position and Create (2) Instructional Assistant Positions at Strandwood Elementary School

Strandwood Elementary School requests the elimination of a part-time, 19 hour/week, school day only, Instructional Assistant position and the creation of one (1) part-time Instructional Assistant position and one (1) part-time Instructional Assistant-Computer position. The savings to Strandwood Elementary PTA for fiscal year 2009-10 will be \$3,264. Funding Source: Strandwood Elementary PTA

3.3.3 Creation of a Part-Time, Senior Instructional Assistant Position at Crossroads Necessary Small High School

Crossroads requests the creation of a 19.75 hour/week, school day only, Senior Instructional Assistant position. There is no impact to the General Fund. The annual cost for fiscal year 2009-10 will be \$12,240. Funding Source: Family and Children's Trust Committee (FACT) grant

3.4 Resolution 09/10-03 Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF) for Account Number 75-07-008

There are two separate LAIF accounts for Mt. Diablo Unified School District. This resolution is for the account for all other district funds, 75-07-008.

3.5 Resolution 09/10-04 Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF) for Account Number 11-07-023

There are two separate LAIF accounts for Mt. Diablo Unified School District. This resolution is for the TRAN account 11-07-023.

3.6 Request for Replacement of Outdated Warrants

County warrants issued to Elaine San Juan for extra compensation were not presented to the County Treasurer for payment within six months of date of issues and consequently void. Per Government Code 2980, the Board must direct reissuance of the warrant.

3.7 Department of Justice – Open Purchase Order

In order to efficiently process fingerprinting costs for all new employees and volunteers, the Personnel Services Office is requesting an open purchase order in the amount of \$73,000 to facilitate payment of the billings from the Department of Justice. Fiscal Impact: A General Fund expenditure of \$73,000 has already been budgeted. This open purchase order is the same as was approved for 2008-09. Funding Source: General Fund/new employee and volunteer reimbursement

3.8 Award of Contract of Architectural/Engineering Services for the Renovation of the Aquatic Facilities at Mt. Diablo and College Park High Schools

Recommend award of contract to Arch Pac, Inc. in the not to exceed amount of \$206,000 for all architectural and engineering services necessary for the complete renovation for both Mt. Diablo and College Park high schools aquatic facilities. Funding Source: Proposition 55 funds

3.9 Rescind Award of Bid 1549 – CCS Presentation Systems, Inc.

Due to budgetary constraints, we are no longer able to enter into a contract with CCS Presentation Systems, Inc.

3.10 Final Deductive Change Order Bid 1543 Kel-Tec Builders, Inc.

Final deductive change order to bid 1543, Kel-Tec Builders, Inc. in the amount of \$955 for path of travel improvements at Gregory Gardens Elementary School. Funding Source: Measure C

3.11 Notice of Completion – Purchase Order 54061, Bid 1543 – Kel-Tec Builders, Inc.

Notice of completion to purchase order 54061, bid 1543 to Kel-Tec Builders, Inc. in the amount of \$35,045 who provided the path of travel corrections at Gregory Gardens Elementary School. Funding Source: Measure C

3.12 Resolution 09/10-02 – Community Facilities District #1 (Measure A)

A resolution is necessary to approve the annual Community Facilities District #1 tax report and to levy and apportion the special (Measure A) tax for fiscal year 2009-10.

- 3.13 Diablo Valley Athletic League Dues 2009-10
Request approval to pay dues to Diablo Valley Athletic League in the amount of \$5,500 per school for Concord, Clayton Valley, College Park, Mt. Diablo, Northgate, and Ygnacio Valley high schools for a total of \$33,000. Funding Source: Athletic Contributions (3500)
- Pulled 3.14 Approval of Exploring New Horizons Service Agreement for Strandwood Elementary School
Students at Strandwood Elementary will participate in the District's Outdoor Education Program at Exploring New Horizons during the week of November 16, 2009. An initial fee of \$21,789 is required by November 7, 2009. A final payment of approximately \$7,801 will be due upon receipt of the final invoice. Funding Source: Parent Donations
- 3.15 Increase Contract Value between Mt. Diablo Unified School District and Non Public Agencies for Special Education Students Receiving Services for the 2008-09 School Year
Due to the frequent changes in level of services that each student requires by the IEPs, administrative placements and new placements, the services are changed or added. As a result, contracted amounts will need to be increased by \$21,385. Funding Source: General Purpose/Special Education Program Code 1661
- 3.16 Increase Contract Value between Mt. Diablo Unified School District and Non Public Schools for Special Education Student Placements during the 2008-09 School Year
Due to graduation, discharges, transfers, administrative placements, and new placements, a number of students have been added to, cancelled or increased. As a result, contracted amounts will need to be increased by \$12,812.26. Funding Source: General Purpose/Special Education Program Code 1660
- 3.17 Extend Contract Service Period and Increase Value of Contract between Mt. Diablo Unified School District and Pawar Transportation LLC to Provide Transportation for Special Education Students during the Extended School Year (ESY) 2009 and Regular School Year 2009-10
The two (2) Pawar ESY 2009 contracts will need to be extended and amount increased to cover the transportation of the special education students until the start of the new contract. The fiscal impact is \$98,400 and is included in the 2009-10 budget. Funding Source: Unrestricted General Fund General Purpose/Special Education Program Codes: 1680 - \$38,400; 1663 - \$60,000
- 3.18 Approve Independent Services Contract between Mt. Diablo Unified School District and Ginger Nicolay-Davis for Speech and Language Services at Westwood Elementary and Eagle Peak Montessori School for the 2009-10 School Year
Due to existing vacancies for Speech-Language Pathologists, the Special Education Department continues to use Independent Contractors to meet student Individualized Education Program requirements. The contract amount for the 2009-10 school year is \$48,640. Funding Source: General Purpose/Special Education Budget Code 1219
- 3.19 Memorandum of Understanding – John Muir Behavioral Health Center
Staff requests renewal of a Memorandum of Understanding with John Muir Behavioral Health Center to provide Home and Hospital Services to students receiving services at the Center. There is no impact to the General Fund.
- 3.20 Ratification of Award of Bids
At the meeting of June 30, 2009, the Board of Education authorized resolution 08/09-82 for the timely award of bids. They are now being returned for ratification.

4. RECOGNITIONS

Superintendent Nicoll introduced Cheryl Kolano, the new Principal assigned to Gregory Gardens Elementary School. Cheryl's position was approved at the June 30, 2009 Board meeting.

5. PUBLIC COMMENT

Norman Barry, a parent of a student at Clayton Valley High school, requested that the Board respond to a letter he sent dated June 9, 2009 regarding an incident involving his son last October.

6. COMMUNICATIONS

7. REPORTS/INFORMATION

8. SUPERINTENDENT'S REPORT

9. BUSINESS

9.1 Relocation of Nueva Vista Necessary Small High School (NSHS) and Related Budget Impact
Request approval to relocate Nueva Vista to Concord High School and become part of the Summit/Transitional Learning Center (TLC) community. The schools and the TLC program would be united under the supervision of one (1) single administrator, who currently oversees the Summit and TLC programs. Fiscal Impact: There is a net savings of \$55,426 to the General Fund (Alternative Education Program).

Whitmarsh moved, Mayo seconded, and the Board voted 5-0-0 to approve the relocation of Nueva Vista Necessary Small High School to Concord High School as presented.

Pulled 9.2 Request Budget for the Construction of Five (5) Additional Classrooms to Replace Leased Facilities at Concord and College Park High Schools
Request budget for the construction of five (5) additional classrooms to replace leased facilities at Concord and College Park high schools. This budget includes all design, testing, construction, inspection, DSA, interim housing and construction management costs. Fiscal Impact: \$2,220,349
Funding Source: Proposition 55 Funds

President Eberhart requested that this item be pulled for further review and brought back at a subsequent meeting.

9.3 Approve Agreement between Mt. Diablo Unified School District and the Contra Costa County Office of Education (CCCOE) to Provide Transportation with Durham School Services for Special Education Students during the 2009-10 School Year
The CCCOE agreement assumes that in the 2009-10 school year, the county office will receive 80% of its special education apportionment from the state. Should the apportionment be reduced or eliminated, the projected cost for the District will increase. The fiscal impact will be no more than \$1,430,000 and is included in the 2009-10 budget. Funding Source: Unrestricted General Fund. General Purpose/Special Education Program Code 1680

Mayo moved, Allen seconded, and the Board voted 5-0-0 to approve the agreement between MDUSD and the CCCOE to provide transportation with Durham School Services for Special Education Students during the 2009-10 school year as presented.

9.4 Increase in Full-Time Equivalent Position (FTE) for the 2009-10 School Year
Request 15.56 full-time equivalent position for the 2009-10 school year. This action will result in an increase in the expenditure budget of the General Purpose Funds in the amount of \$990,923.

Allen moved, Strange seconded, and the Board voted 5-0-0 to increase the full-time equivalent position (FTE) for the 2009-10 school year as presented.

Pulled 9.5 Approval of Bid for RFP 1553 – Special Education and Section 504 Study
Approval of Bid for RFP 1553 to MGT of America, Inc. in the amount of \$99,520 to provide a thorough operations analysis of the delivery of all special education services throughout the district. Funding Source: ARRA-IDEA Funds

President Eberhart requested that this item be pulled for further discussion and brought back to a subsequent meeting.

9.6 Legal Services Contract
Contract for legal services to be provided by Fagen Friedman & Fulfroost LLP. The firm's billable hourly rates range between \$250 for partners and \$190 for associates. Funding Source: General Fund

Mayo requested that the declaration of insurance as stated in item 13 of the legal services contract be provided prior to signing the agreement.

Strange moved, Whitmarsh seconded, and the Board voted 5-0-0 to approve the contract as presented with the caveat that the declaration of insurance as indicated in item 13 of the contract be provided before the agreement is signed.

9.7 Legal Services Contracts

Contracts for legal services to be provided by the Law Offices of Matt Juhl-Darlington, Ruiz & Sperow, LLP, Law Offices of Peter H. Bonis, Crosby & Rowell LLP, Attorneys at Law and Edrington Schirmer & Murphy LLP, Attorneys at Law. The terms and conditions of each contract are identical and each firm shall adhere to the district's billing standard. The billable hourly rate is being increased to \$185 per hour. Funding Source: General Fund

Strange moved, Mayo seconded, and the Board voted 5-0-0 to approve the contracts as presented with the caveat that the declarations of insurance as indicated in item 13 of each of the contracts be provided before the agreements are signed.

9.8 Legal Bill Audit Service Agreement with Hall Enterprises, Inc.

Legal bill audit service agreement with Hall Enterprises, Inc., in the estimated amount of \$35,000 to \$55,000 to identify billing irregularities and provide legal authority for recommended reductions. Funding Source: General Fund

Mayo requested the evidence of insurance. Strange moved, Whitmarsh seconded, and the Board voted 5-0-0 to approve the agreement as presented.

9.9 Adoption of Health Course of Study

A team of teachers from Oak Grove and Diablo View middle schools, a Curriculum Coordinator from the Contra Costa County TeenAge Program (TAP), and two Health Education coordinators from Bay Area Communities for Health Education (BACHE) met with the Curriculum Specialist to write a Course of Study for 7th and 8th Grade Health Education.

Whitmarsh moved, Strange seconded, and the Board voted 5-0-0 to approve the adoption of Health Course of Study as presented. This item was presented for information at the June 30 meeting.

9.10 Request Approval to Adopt Materials for 7th and 8th Grade Health Education Course

A Curriculum Specialist working with teachers and a Curriculum Coordinator from Contra Costa County TeenAge Program (TAP) went through the District adoption process to recommend textbook and materials; *Teen Health Course 2*, for approval.

Strange moved, Whitmarsh seconded, and the Board voted 5-0-0 to approve the adoption of materials for 7th and 8th Grade Health Education Course as presented. This item was presented for information at the June 30 meeting.

9.11 Request to Adopt Applied Principles of Art and Design I Course of Study

Art and Humanities I is a course that needs to be updated to align with Career and Technical Education Standards. The new course title will be Applied Principles of Art and Design I.

Allen moved, May seconded, and the Board voted 5-0-0 to approve the adopt Applied Principles of Art and Design I Course of Study as presented. This item was presented for information at the June 30 meeting and is now being returned for action.

9.12 Request to Adopt Applied Principles of Art and Design II Course of Study

Art and Humanities II is a course that needs to be updated to align with Career and Technical Education Standards. The new course title will be Applied Principles of Art and Design II.

Mayo moved, Allen seconded, and the Board voted 5-0-0 to adopt Applied Principles of Art and Design II Course of Study as presented. This item was presented for information at the June 30 meeting.

9.13 Request to Adopt Applied Principles of Art and Design III Course of Study

Art and Humanities III is a course that needs to be updated to align with Career and Technical Education Standards. The new course title will be Applied Principles of Art and Design III.

Strange moved, Whitmarsh seconded, and the Board voted 5-0-0 to adopt Applied Principles of Art and Design III Course of Study as presented. This item was presented for information at the June 30 meeting.

9.14 Williams Quarterly Summary Report – July 30, 2009

Quarterly reports reflect complaints regarding textbooks and instructional materials, teacher vacancies or misassignments, facilities conditions and Valenzuela/CAHSEE support. This quarter's report includes the months of May through July 2009.

Strange moved, Mayo seconded, and the Board voted 5-0-0 to ratify the Williams Quarterly Summary Report, July 30, 2009 as presented.

10. **BOARD FORUM**10.1 Committee Minutes10.2 Board Reports

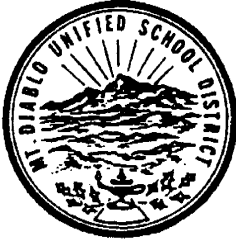
Mayo shared that she had participated in the Leadership Institute and pleased with the interest and response to high school intervention by staff, parents, and community members. Mayo then asked that the Board meeting be closed in honor of Eloise Honett who passed away on July 10, 2009. Ms. Honett was a Principal at MDH when she retired from the District. Ms. Honett broke the glass ceiling for being among the first female principals in our district.

Allen shared that he had visited summer school sites and was very impressed. He also attended the Leadership Conference and appreciated the information shared.

Eberhart shared that he had attended the leadership conference this morning. He stated that he noticed that a board meeting had been scheduled during Thanksgiving week and that it needed to be changed. He also shared that he had received several emails regarding the fundraising policy. He wanted to assure the public that the Board was not making any changes to the policy regarding fundraising at school sites. He requested that the Board meeting be closed in honor of Cheryl Harmon who had passed away. Ms. Harmon was as a librarian at Clayton Valley when she retired from the District.

10.3 Issues of Concern11. **ADJOURNMENT** Eberhart adjourned the meeting at 8:15 p.m.

Richard Nicoll, Secretary



Agenda Item No: **3.2.1(1)**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Recommended Action for Certificated Personnel



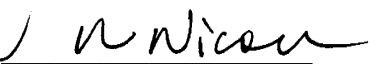
SUMMARY: Changes in status of the following certificated employees.

Please see attached listing of certificated personnel actions.

FISCAL IMPACT: NA

FUNDING SOURCE: NONE

RECOMMENDED ACTION: Approve attached recommendations.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: Certificated Actions

Certificated Personnel Actions - Board Meeting 8/25/09

Rehire Temporary Teacher

Last Name	First Name	Present Locatio	Position	Effective Date
Humphrey	Robert	Alliance	SDC	8/26/09
McCollum	Bryan	MDHS	Math	8/26/09
Trujillo	Erin	NHS	Photography	8/26/09

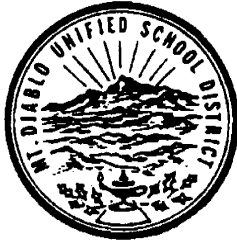
Resignation

Last Name	First Name	Present Locatio	Position	Effective Date
Cervantes	Hermes	Glenbrook	Student Services Cor	7/31/09
Miller	Elizabeth	District Wide	Music	8/20/09

Certificated Personnel Actions - Board Meeting 8/25/09

New Hire

Last Name	First Name	Site	Position	Hire Date
Boero	Larkin	Sunrise	SDC	8 /24/09
Ceresa	Peter	NHS	Math	8 /24/09
Dua	Anu	Oak Grove	Math	8 /24/09
Offenbach	Elizabeth	Oak Grove	Math	8 /24/09
Townsend	Danya	Riverview	Physical Education	8 /24/09



Agenda Item No: **3.2.2(1)**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

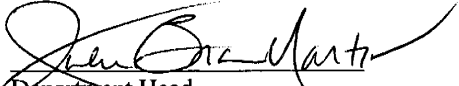
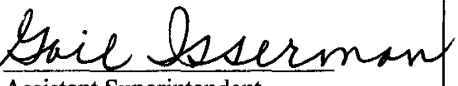
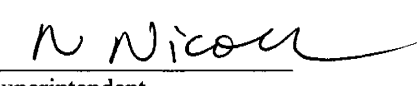
SUBJECT: Education Code 44258.3 - BOARD AUTHORIZATION

SUMMARY: Under Ed. Code 44258.3, holders of any California teaching credential can be authorized, by Board Authorization, to teach departmentalized classes with their consent in grades K-12, irrespective of the designations on their teaching credentials, as long as the teacher's competence is verified according to policies and procedures established by the governing board consistent with the language of the statute.

FISCAL IMPACT: No Fiscal Impact.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: Approve teacher(s) under Ed. Code 44258.3, Board Authorization, as presented.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: Board Resolution

RESOLUTION OF THE GOVERNING BOARD
OF THE MT. DIABLO UNIFIED SCHOOL DISTRICT

#09/10 - 5

WHEREAS, Education Code 44258.3 authorizes the Governing Board to assign an employee holding a California teaching credential can be authorized, by Board Authorization, to teach departmentalized classes with their consent in grades K-12, irrespective of the designations on their teaching credentials, as long as the teacher's competence is verified according to policies and procedures established by the governing board consistent with the language of the statute.

THEREFORE, be it resolved that the following teacher(s) have been assessed through the use of observation of demonstration lessons and/or oral interview to determine their subject matter competence by district staff members who are subject matter specialists in that curriculum area. Teachers possess knowledge of the curriculum framework for the subject to be taught and the specific content of the district course of study.

Teaching assignments made pursuant to this section shall be valid only in the Mt. Diablo Unified School District for the 2009-10 school year.

Roy Cuizon

El Dorado Middle

Life Science

AYES: _____

NOES: _____

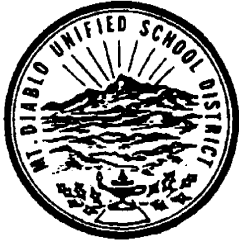
ABSENT: _____

Secretary of the Governing Board

Date

Board Meeting Date: August 25, 2009

44258.3



Agenda Item No: 3.2.3(1)

Meeting Date: August 25, 2009

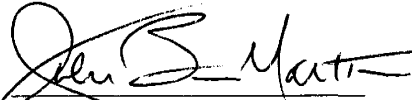
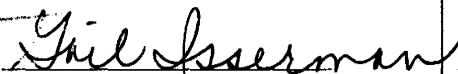
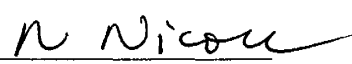
AGENDA DOCKET FORM

SUBJECT: Education Code 44256(b) – BOARD AUTHORIZATION

SUMMARY: Under Ed. Code 44256(b), holders of Multiple Subject or Elementary credentials who have 12 lower division units or 6 upper division units in a subject can be authorized, by Board Authorization, to teach that subject(s) in an elementary or middle school for the current school year.

FISCAL IMPACT: No Fiscal Impact.

RECOMMENDED ACTION: Approve teacher(s) under Ed. Code 44256(b), Board Authorization, as presented.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: Board Resolution

RESOLUTION OF THE GOVERNING BOARD
OF THE MT. DIABLO UNIFIED SCHOOL DISTRICT

#09/10 - 6

WHEREAS, Education Code 44256(b) authorizes the Governing board to assign an employee holding a Multiple Subject or a Standard Elementary credential to teach, with his or her consent, any subject in a departmentalized class below Grade 9 provided that the teacher has completed 12 semester units or 6 upper division or graduate units of coursework in that subject.

THEREFORE, be it resolved that the following teachers meet the above qualifications and are being authorized in an elementary or middle school in the subject(s) in which they hold 12 semester units or 6 upper division or graduate units for the current school year in the Mt. Diablo Unified School District.

Lynn Quinones

District Wide

Elementary Vocal Music

AYES: _____

NOES: _____

ABSENT: _____

Secretary of the Governing Board

Date

Board Meeting Date: August 25, 2009

44256(B)



Agenda Item No: 3.2.4(1)

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

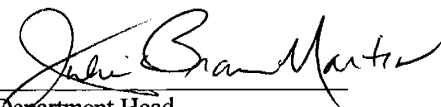
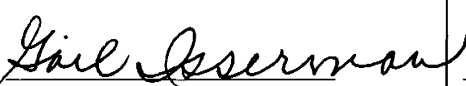
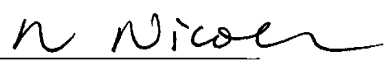
SUBJECT: Education Code 44258.2 - BOARD AUTHORIZATION

SUMMARY: Under Ed. Code 44258.2, holders of Single Subject or Secondary credentials who have 12 lower division units or 6 upper division units in a subject can be authorized, by Board Authorization, to teach that subject(s) in a middle school for the current school year.

FISCAL IMPACT: No Fiscal Impact.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: Approve teacher(s) under Ed. Code 44258.2, Board Authorization, as presented.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: Board Resolution

RESOLUTION OF THE GOVERNING BOARD
OF THE MT. DIABLO UNIFIED SCHOOL DISTRICT

#09/10 - 7

WHEREAS, Education Code 44258.2 authorizes the Governing Board to assign an employee holding a Single Subject or a Standard Secondary teaching credential to teach with his or her consent, any class in grades 5 to 8 inclusive, in a middle school, provided that the teacher has completed at least 12 semester units or 6 upper division or graduate units of coursework in that subject.

THEREFORE, be it resolved that the following teacher(s) meet the above qualifications and are being authorized to teach in a middle school in the subject(s) in which they hold 12 semester units or 6 upper division or graduate units for the current school year in the Mt. Diablo Unified School District.

Lucia Amerson	Sequoia MS	World Cultures
Eleanor Bunt	Glenbrook	Mathematics
Joel Eklund	Foothill MS	English
Antoine Etcheveste	Foothill MS	English
Christina Filley Tkachuk	Valley View	Mathematics
Amber Glasgow	Valley View	Mathematics
Elaine Green	Foothill MS	English/Social Science
Kathryn Hoffman	PI Hill MS	English
Jeffrey Juico	Riverview MS	Mathematics
Mary Kalsbeek	Diablo View	Social Science
John Marvin	PI Hill MS	English
Barbara Moser	Foothill MS	Mathematics
Ariel Owen	Foothill MS	Science
Sharon Simone	Riverview	Mathematics
Mary Sposito	Foothill MS	Foreign Lang:Spanish
Keith Waters	Foothill MS	English/Reading Educ.

AYES: _____

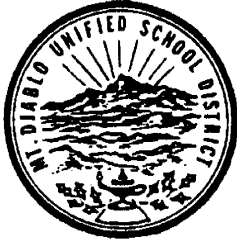
NOES: _____

ABSENT: _____

Secretary of the Governing Board

Date

Board Meeting Date: August 25, 2009



Agenda Item No: **3.25(1)**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

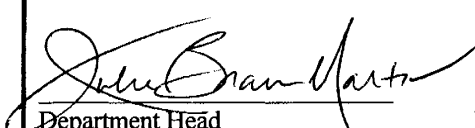
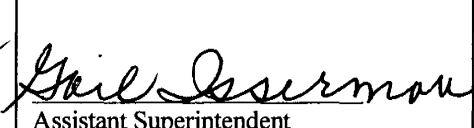
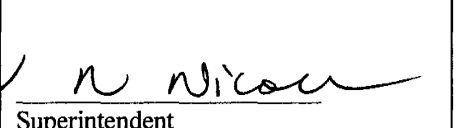
SUBJECT: Education Code 44263 - BOARD AUTHORIZATION

SUMMARY: Under Ed. Code 44263, holders of any California teaching credential who have 18 lower division units or 9 upper division units in a subject can be authorized, by Board Authorization, to teach that subject(s), full or part time. Teacher and site administrator completes Consent Form, and teacher supplies copies of transcripts verifying correct number of semester units completed in the subject area to be taught.

FISCAL IMPACT: No Fiscal Impact.

FUNDING SOURCE: N/A

RECOMMENDED ACTION: Approve teacher(s) under Ed. Code 44263, Board Authorization, as presented.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: Board Resolution

RESOLUTION OF THE GOVERNING BOARD
OF THE MT. DIABLO UNIFIED SCHOOL DISTRICT

#09/10 - 8

WHEREAS, Education code 44263 authorizes the Governing Board to assign any employee holding any licensed teaching credential to teach, with his or her consent, any single subject or any multiple subject in which he or she has 18 lower division units or 9 upper division units or graduate coursework in the subject(s) to be taught, full or part-time.

THEREFORE, be it resolved that the following teachers meet the above qualifications and are being authorized to teach the subject in which they hold 18 lower division units or 9 upper division units or graduate coursework for the current year in the Mt. Diablo Unified School District:

Sherri Bensen	District Wide	Vocal/General Music
Keith Coppage	MDHS	Music
Laurel Foerste	PI Hill MS	Social Science
Sandra Johnson	MDHS	Biotechnology, Biology
		Physiology
Paul Renaud	CPHS	English II
Misha Safran	CVHS	Foreign Lang:Spanish
Jeffrey Schiebler	CHS	Foreign Lang:German
Doug Scott	CPHS	Earth Science II
Carolyn Bryant	NHS	Film Study

AYES: _____

NOES: _____

ABSENT: _____

Secretary of the Governing Board

Date



Agenda Item No: **3.2.6(1)**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Approval of Variable Term Waiver Requests

SUMMARY: Variable term waivers provide applicants with additional time to complete certain requirements for the credential that authorizes the service. The waiver request is made when there is not a properly credentialed person available for the position.

All requests for a Variable Term Waiver must be presented for approval to the governing board of a public school district. Every waiver request submitted to the Commission on Teacher Credentialing must include verification that a notice of intent to employ the named applicant in the identified position has been made public.

FISCAL IMPACT: None

RECOMMENDED ACTION: Approve waiver requests as presented.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: Copy of Resolution for Variable Term Waivers

RESOLUTION OF THE GOVERNING BOARD
OF THE MT. DIABLO UNIFIED SCHOOL DISTRICT
#09/10 - #09

WHEREAS, the California Commission on Teacher Credentialing authorizes the issuance of a Variable Term Waiver to an employee who meets the minimum requirements and who requires additional time to complete all necessary requirements for the appropriate credential which authorizes service for the position assigned.

THEREFORE, be it resolved that the following teachers meet the above criteria and are authorized to apply for a Variable Term Waiver to complete their assignments for the 2009-10 school year in the Mt. Diablo Unified School District:

Jill Raslan

Education Specialist – M/S

Westwood EI

AYES: _____

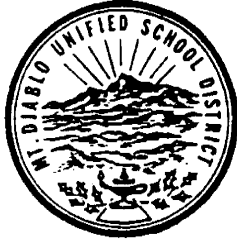
NOES: _____

ABSENT: _____

Secretary of the Governing Board

Date

Board Meeting Date: August 25, 2009
Waiver



Agenda Item No: **3.3.1**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Recommended Action for Classified Personnel

SUMMARY: Changes in status of the following classified employees

Leave of Absence

Green, Barbara Food Service Asst. I – Ygnacio Valley El 08/31/09

Retirement

Bade, Carol Elem. School Secretary – Meadow Homes El 08/24/09

Hamilton, Julie Spec. Educ. Asst. I/CLS – Foothill MS 08/31/09

Spiros, Patricia Instructional Asst. – Valhalla El 08/04/09

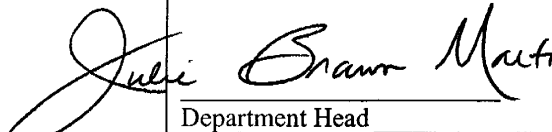
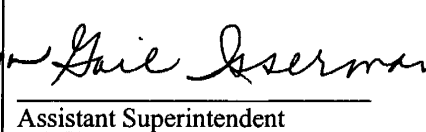
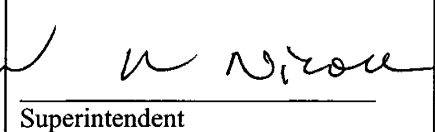
Resignation

Allen, Daniel Site Tech II – Tech. and Information Svcs. 08/14/09

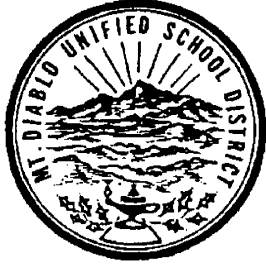
FISCAL IMPACT: NA

FUNDING SOURCE: NA

RECOMMENDED ACTION: Approve actions as recommended.

 _____ Department Head	 _____ Assistant Superintendent	 _____ Superintendent
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Attachments: None



Agenda Item No. **3.5**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Contract Amendment # 5: Capital Engineering Consultants, Inc.

SUMMARY: On May 9, 2006, the Board of Education awarded a professional services contract to Capital Engineering Consultants, Inc. for \$3,033,600 for comprehensive design and engineering services necessary for the installation of new heating, ventilating and air conditioning systems at designated sites. This contract has been subsequently amended through Board actions to a revised value of \$3,817,108 to include comprehensive design services for the heating, ventilating and air conditioning retrofit of the Phase IIB, the Serendipity kitchen at Mt. Diablo High School and the interim housing facilities required during construction at Pleasant Hill Middle School.

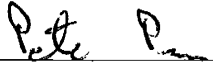
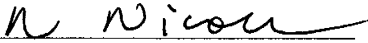
Staff is now recommending that the existing contract be increased by \$7,490.00 for the provision of comprehensive design services necessary to address installation accommodations required in Room 605 (Drama classroom) at Pleasant Hill Middle School. The proposed amendment will result in a revised contract value of \$3,824,598.00.

FISCAL IMPACT: \$7,490.00

FUNDING SOURCE: Proposition 55 funds.

BUDGET: \$10,232,252.

RECOMMENDED ACTION: Approve contract amendment as approved.

<hr/> <p>Department Head</p>	 <hr/> <p>Assistant Superintendent</p>	 <hr/> <p>Superintendent</p>
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Attachments: None



Agenda Item No: **3.6**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Contract Amendment: Mills Associates: Preparation of Environmental Impact Report (EIR) for the Northgate High School Stadium Lighting Project

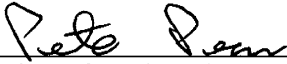
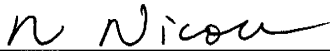
SUMMARY: On October 14, 2008, the Board of Education awarded a contract to Mills Associates in the amount of \$45,920.00 for the provision of services associated with the preparation of a focused Environmental Impact Report (EIR). This report is required to assess impacts associated with the stadium project at Northgate High School which includes the installation of light poles and the replacement of temporary bleachers with permanent bleacher systems.

As a result of a need to provide additional analysis related to facility usage and noise generation, it is necessary to increase the value of this contract by \$2,250.00. This proposed amendment will result in a revised contract value of \$48,170.00. The Northgate Community Pride Foundation has agreed to fund the increased contract costs.

FISCAL IMPACT: \$2,250.00

FUNDING SOURCE: Northgate Community Pride Foundation

RECOMMENDED ACTION: Approve contract amendment as presented.

<hr/> Department Head	 Assistant Superintendent	 Superintendent
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Attachments: None



Agenda Item No. **3.7**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Approval of a Purchase Order for a New Modular Classroom and Restroom at Riverview Middle School

SUMMARY: On March 13, 2007, the Board approved Bid No. 1459 and authorized the District to execute a contract to Meehleis Modular Buildings, Inc., to provide Prefabricated Modular Buildings at James W. Dent Center – Buildings 18, 19 & 20. The bid also included a fixed unit pricing term agreement for twenty four (24) different classroom and restroom configurations. Pricing are to remain firm for a three (3) year period from the date of the award in an effort to allow the District to place future orders as funding and need allows.

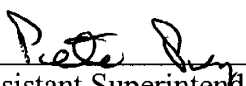
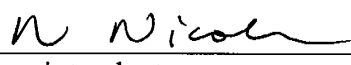
Currently, there is a need for the District to procure and construct one (1) 40' x 32' classroom and restroom (Floor Plan 2A) from the term contract with Meehleis Modular Buildings, Inc. We are requesting execution of a purchase order to Meehleis Modular for one (1) 40' x 32' pre-fabricated building (Floor Plan 2A), with modified exterior exits for restrooms and a fire sprinkler system for installation at Riverview Middle School. The total value of this purchase order will be \$338,775.00.

FISCAL IMPACT: \$338,775.00

BUDGET: \$5,342,080.00

FUNDING SOURCE: Prop 55

RECOMMENDED ACTION: Approve Award of a Purchase Order as presented.

<hr/> <p>Department Head</p>	 <hr/> <p>Assistant Superintendent</p>	 <hr/> <p>Superintendent</p>
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Attachments: None



Agenda Item No **3.8**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Notice of Completion

SUMMARY: Contract No. C-886, Bid #1533, was completed by River View Construction, Inc., who provided the Football Bleacher Repairs at Clayton Valley High School. Work and Services for this project have been satisfactorily completed for a total expenditure of \$357,690.00.

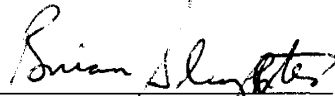
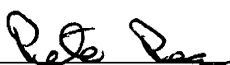
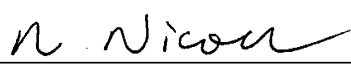
The scope of work included, but was not limited to: the removal and replacement of existing bleacher seating, removal of existing bracing of bleacher system and replacement of new bracing system.

FISCAL IMPACT: None

BUDGET FOR PROJECT: \$485,000.00

FUNDING SOURCE: Proposition 55

RECOMMENDED ACTION: Approve Notice of Completion as presented.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: None



Agenda Item No: **39**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM


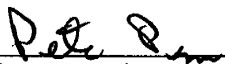
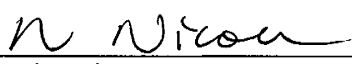
SUBJECT: Renewal of Contract with David Costa

SUMMARY: Mt. Diablo Unified School District seeks approval from the Board of Education for the renewal of the contract between David Costa and Food and Nutrition Services. David Costa provides courier services between sites for reports, deposits and related documents. He is bonded and insured.

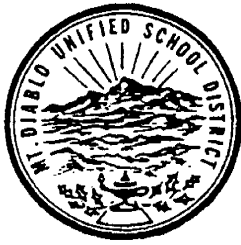
FISCAL IMPACT: Projected expense not to exceed \$38,500 for the 2009-2010 school year.

FUNDING SOURCE: Cafeteria Fund, already budgeted.

RECOMMENDED ACTION: Approve contract between David Costa and Food and Nutrition Services.

 Department Head	 Assistant Superintendent	 Superintendent
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Attachments: Contract



Agenda Item No. **3.10**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

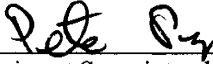
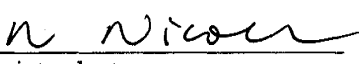
SUBJECT: Renewal of Courier Service for Pick-up and Delivery from School Sites to Concord Diablo Federal Credit Union

SUMMARY: Courier service has been provided by David Costa to pick-up petty cash from various school sites and then deliver the funds directly to the Concord Diablo Federal Credit Union. He picks up twice a week and the charge for this service is \$11.00 per site. The list of schools that have requested this service has increased to 33 sites. The total amount for this service for the 2008-09 school year is approximately \$35,000.00.

FISCAL IMPACT: Cost proposal not to exceed \$35,000, already budgeted.

FUNDING SOURCE: General Fund, Program Code 5290

RECOMMENDED ACTION: Approve cost of service as presented

<hr/> <p>Department Head</p>	 <hr/> <p>Assistant Superintendent</p>	 <hr/> <p>Superintendent</p>
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Attachments: None



Agenda Item No. **9.1**

Meeting Date: August 25, 2009

AGENDA DOCKET FORM

SUBJECT: Approval of Bid for RFP 1553: Special Education and Section 504 Study

SUMMARY: On June 19, 2009, Mt. Diablo Unified School District accepted proposals from four vendors for a study of District Special Education and Section 504 services. All proposals were evaluated and vendors were interviewed in accordance with the evaluation criteria specified in the RFP. MGT of America, Inc. (MGT) offered the best and most comprehensive study and evaluation process for the District at a cost of \$99,520.00.

MGT will provide a thorough operations analysis of the delivery of all special education services throughout the district including the effective use of resources while providing quality special education and Section 504 services to students with disabilities. They will identify service delivery options that may be expanded or modified to realize savings and make recommendations that will suggest strategies for re-allocating resources and program development to improve program effectiveness. The consultant will address the balance between providing a full continuum of services that are required for students with special needs while considering the financial effects that the disproportionate funding of special education. They will review communication practices with parents to determine community satisfaction with all district processes relating to obtaining services for their students.

The Scope of Work includes: An analysis of disproportionate representation of students of color with IEPs and/or 504 Plans in the district as it relates to the representation of children by ethnicity in designated special education disability categories as well as students with Section 504 Plans and to the rates of suspension and expulsion across the district as it relates to students ethnicity and gender. The consultant will also examine instructional practices, policies and district procedures that are in place to help increase academic success. This data will be gathered and reported as school-specific data.

FISCAL IMPACT: \$99,520.00

FUNDING SOURCE: ARRA-IDEA Funds

RECOMMENDED ACTION: Approval of bid with MGT of America, Inc. as presented.

<p>_____</p> <p>Department Head</p>	<p><i>Pete Pa</i></p> <p>_____</p> <p>Assistant Superintendent</p>	<p><i>n Nixon</i></p> <p>_____</p> <p>Superintendent</p>
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Attachments: None